

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-49 are pending in this application. Claims 1, 17, 31 and 38 are amended by the present response. Support for amendments to the claims can be found in the originally filed disclosure. Thus, no new matter is added.

In the outstanding Office Action, Claims 1, 4-10, 12, 17-21, 24, 26, 27, 31, 32, 34-37, 48 and 49 were rejected under 35 U.S.C. §103(a) as unpatentable over Lockwood (U.S. Pat. No. 4,567,359) in view of Kanazawa et al. (U.S. Pat. No. 2003/0158758 A1, herein “Kanazawa”) in further view of Ryan et al. (U.S. Pat. Pub. No. 2003/0187768, herein “Ryan”); Claims 2, 3, 13-16, 22, 28-30 and 47 were rejected under 35 U.S.C. §103(a) as unpatentable over Lockwood, Kanazawa and Ryan in further view of Ando et al. (U.S. Publication Number 2002/0013717 A1 herein “Ando”); Claims 11, 23, 25, 33 and 35 were rejected under 35 U.S.C. §103(a) as unpatentable over Lockwood, Kanazawa and Ryan in further view of Maus et al. (U.S. Pat. No. 7,092,891, herein “Maus”); Claims 38-42 and 46 were rejected under 35 U.S.C. §103(a) as unpatentable over Lockwood, Kanazawa and Ryan in further view of Zander et al. (U.S. Pat. Pub. No. 2003/0208385, herein “Zander”); and Claims 43-45 were rejected under 35 U.S.C. §103(a) as unpatentable over Lockwood, Kanazawa, Ryan, Zander and Maus.

Initially, Applicants and Applicants’ representatives wish to thank Examiner Rapillo for the interview with Applicants’ representatives on November 10, 2011. During the interview, the §103 rejection was discussed in detail and the Examiner indicated that the arguments would be taken into consideration. Comments discussed during the interview are reiterated below.

Addressing now the rejection of Claims 1, 5-7, 10, 17-18, 21, 31, and 48-49 under 35 U.S.C. §103(a) as unpatentable over Lockwood and Kanazawa, Applicants respectfully traverse this rejection.

Amended Claim 1 recites, in part,

- a. collecting self-reported information relating to the insurable risk from an applicant;
- b. collecting a plurality of measurements of objective information relating to the insurable risk from the applicant by measuring, in a single session at a single kiosk, physiological aspects of the applicant using one or more medical measuring devices, at least one of the one or more medical measuring devices performing the measurement of a physiological aspect by obtaining a sample from the applicant and performing medical analysis using the sample in the single session at the single kiosk;
- c. providing the self-reported information and the objective information collected in the single session to an automated underwriting system located in the single kiosk;
- d. evaluating and rating the insurable risk of the applicant by performing an individualized risk analysis calculation at the automated underwriting system located in the single kiosk based on the self-reported information and the objective information; and
- e. providing an insurance offer relating to a specific insurance product based on the rated insurable risk for review and acceptance by the applicant.

Claims 17, 31 and 38 recite similar features with regard to measuring physiological aspects of the applicant in a single session located in the single kiosk, performing the measurement of a physiological aspect by obtaining a sample from the applicant and performing medical analysis using the sample in the single session at the single kiosk, and performing an individualized risk analysis calculation at the automated underwriting system located in the single kiosk.

Lockwood describes a system for automatically dispensing information, goods and services to a customer. Further, Lockwood describes a system that provides insurance quotes

from several companies based on information entered by a customer via a touch pad 13 displayed on a monitor screen.

Kanazawa discloses a health measurement apparatus that is used to obtain information about a subject.

Ryan describes a method of selling a financial product remotely over a network. Further, Ryan describes that insurance products, which do not require detailed physical investigations, can be sold. In addition, Ryan describes an “asset analyzer” determines which assets such as stocks, bonds, cash, etc. best suits the customer in order to determine whether a person is financially stable enough to be offered insurance.

However, the combination of Lockwood, Kanazawa and Ryan does not describe or suggest, at least, collecting a plurality of measurements of objective information relating to the insurable risk from the applicant by measuring, in a single session at a single kiosk, physiological aspects of the applicant using one or more medical measuring devices, at least one of the one or more medical measuring devices performing the measurement of a physiological aspect by obtaining a sample from the applicant and performing medical analysis using the sample in the single session at the single kiosk, or evaluating and rating the insurable risk of the applicant by performing an individualized risk analysis calculation at the automated underwriting system located in the single kiosk based on the self-reported information and the objective information.

The Action relies on Kanazawa as disclosing the collecting step recited in Claim 1. Applicants respectfully traverse this assertion, at least, in light of the amendment to Claim 1. In particular, Kanazawa describes a health measurement apparatus that is used to obtain information about a subject. Further, Kanazawa discloses a number of remote health measuring apparatuses 2 that are connected to a center apparatus 1 via a network. Nothing in Kanazawa describes or suggests collecting a plurality of measurements of objective

information relating to the insurable risk from the applicant by measuring, *in a single session at a single kiosk*, physiological aspects of the applicant using one or more medical measuring devices, at least one of the one or more medical measuring devices performing the measurement of a physiological aspect by obtaining a sample from the applicant.

Further, nothing in Lockwood or Ryan discloses this feature of the claimed invention.

In addition, the Action acknowledges on page 3 that Lockwood and Kanazawa fails to describe or suggest evaluating and rating the insurable risk of the applicant by performing an individualized risk analysis calculation at the automated underwriting system located in the single kiosk based on the self-reported information and the objective information.

Nevertheless, the Action cites Ryan as curing this deficiency of Lockwood and Kanazawa. Applicants respectfully traverse this citation.

The Action asserts that paragraph 0495 of Ryan discloses the above noted feature. However, Applicants respectfully traverse this assertion and submit that the cited portion of Ryan relates to an “asset analyzer” which advises customers on asset allocation decisions.

As was discussed in the interview, Ryan specifically teaches away from performing an individualized *risk analysis calculation* at the automated underwriting system located in the single kiosk *based on the self-reported information and the objective information*, which is also obtained at the kiosk.

For instance, Ryan describes in paragraph 0494 that the automated underwriting process is performed *without* the objective information. In contrast, the claim specifically recites that the performance of the individualized risk analysis calculation at the automated underwriting system located in the single kiosk is based on the *self-reported information and the objective information*, which is also obtained at the kiosk.

In particular, the system of Ryan uses automated underwriting similar to the system of Lockwood. Thus, Ryan cannot be asserted as curing the deficiencies of Lockwood.

Thus, Applicants respectfully submit that Claim 1 and similarly Claims 17 and 31, and claims depending respectively therefrom, patentably distinguish over the combination of Lockwood, Kanazawa and Ryan.

Moreover, the further cited Zander, Ando and Maus references do not cure the above noted deficiencies of Lockwood and Kanazawa with regard to the claimed invention.

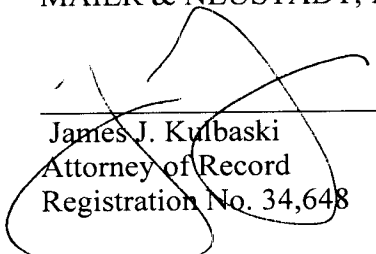
Consequently, in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 07/09)



James J. Kulbaski
Attorney of Record
Registration No. 34,648

~~James Love~~
Registration No. 58,421